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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,976	07/31/2003	Stefan Graf	71068	2191

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EXAMINER

MARC, MCDIEUNEL

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/631,976

Applicant(s)

GRAF, STEFAN

Examiner

McDieunel Marc

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 7-11 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/31/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-11 are presented for examination.

Specification

2. The abstract of the disclosure is objected to because of the words "means and invention". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-2 and 7-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Stoddard *et al.* (U.S. Pat. No. **6,804,580**).

As per claim 1, Stoddard *et al.* teaches a method and control system for controlling a plurality of robots including a method for the synchronous control of a plurality of handling devices/ industrial robots (see fig. 1, elements R1-R3), wherein a control command to be performed by controls of handling devices participating in a synchronization (see fig. 1, elements RC' and RC") is initiated on a random control (initiating control) (see fig. 2, col. 11, lines 39-50 and also, inherency of the random control comes from manual motion) and is then further processed therein as a function of the nature of the command (see fig. 1).

As per claim 7, Stoddard *et al.* teaches a system for the synchronous control of a handling device/ industrial robot, in a union of such handling devices having (see fig. 1): storage means for storing a control program for the handling device (see col. 11, lines 25-26); input means for initiating a control command to be distributed for synchronization purposes (see col. 2, lines 38-53, input is inherent into master slave relationship); transmitting means for transmitting an initiated control command to other controls participating in a synchronization (see col. 2, lines 38-53, transmit means is inherent into master slave relationship); receiving means for receiving a command transmitted by another participating control (see col. 2, lines 38-53, receiving means is inherent into master slave relationship); processing means for processing the control program in accordance with the control command and optionally for checking the initiated or received command (see col. 2, lines 38-53, processing means is inherent into master slave relationship); and decision means for blocking or unblocking the transmission and/or for ordering a solely local implementation of an initiated control command (see col. 7, lines 43-50, wherein switching between instruction sources being considered as decision for blocking or unblocking).

As per claim 2, Stoddard et al. teaches a system, wherein the command processing involves the control command for synchronous implementation to be distributed to the other controls, blocked or only locally implemented (see col. 11, lines 39-50).

As per claims 8 and 9, Stoddard et al. teaches a system, wherein the controls are linked by means of a communication network; wherein it is located on a common hierarchic plane with the other participating controls. (see fig. 1, element 2).

As per claim 10, Stoddard et al. teaches a system, wherein it is connected together with the other participating controls to a common operating device, which for operating purposes can be switched to the different controls (see col. 11, lines 23-25), note that different control being considered as remote.

As per claim 11, Stoddard et al. teaches a system, wherein the participating controls are listed in a variable stored in the storage means (see col. 11, lines 26-27).

Allowable Subject Matter

5. Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fail to teach or fairly suggest a synchronous control of a plurality of handling devices, wherein the initiating control checks current, control-relevant states of all the controls in combination with the other features of the claimed invention.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to McDieunel Marc whose telephone number is (703) 305-4478. The examiner can normally be reached on 6:30-5:00 Mon-Thu.

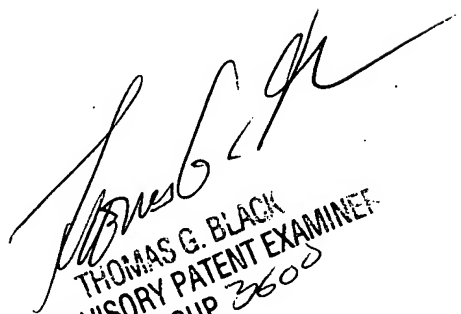
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


McDieunel Marc

Wednesday, March 23, 2005

MM/


THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600